

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	
BARBARA A. MORGAN,)	Case No.: 1:07CV219
)	
Defendant,)	
)	
and)	
)	
HOLLYWOOD ENTERTAINMENT)	
CORP T/A HOLLYWOOD VIDEO,)	
)	
Garnishee.)	

MOTION TO QUASH WRIT OF CONTINUING GARNISHMENT

COMES NOW the United States of America, by and through its Attorney, Anna Mills Wagoner, United States Attorney for the Middle District of North Carolina, and Joan B. Binkley, Assistant United States Attorney, and moves this court to quash the Writ of Continuing Garnishment filed herein on December 11, 2007, pursuant to 28 U.S.C. § 3205(c)(10)(A). In support of this motion, it is shown:

(1) That on August 3, 2007, a judgment in the amount of \$22,443.78 was entered in the United States District Court for the Middle District of North Carolina, in favor of the United States of America, and against the Defendant, Barbara A. Morgan, whose last known address is [REDACTED], Concord, NC [REDACTED].

(2) That on October 18, 2007, the United States of America applied for a Writ of Continuing Garnishment against the Defendant, Barbara A. Morgan, with Hollywood Entertainment Corp T/A Hollywood Video as Garnishee. On December 11, 2007, the court granted the Writ of Continuing Garnishment.

(3) That the United States has been informed by Garnishee that the Defendant is no longer in their employment.

WHEREFORE, the United States respectfully prays the court that it enter an order quashing the Writ of Continuing Garnishment pursuant to 28 U.S.C. § 3205 (c)(10)(A), thereby terminating this garnishment; and for such other relief that the court deems just and proper.

A proposed order is attached.

This the 11th day of June, 2009.

Respectfully submitted,

ANNA MILLS WAGONER
United States Attorney

/s/ Joan B. Binkley
Assistant United States Attorney
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CORP T/A HOLLYWOOD VIDEO,)	
Garnishee.)	<u>CERTIFICATE OF SERVICE</u>

I hereby certify that on June 11, 2009, the foregoing Motion to Quash Writ of Continuing Garnishment and Order to Quash Writ of Continuing Garnishment were electronically filed with the Clerk of the Court using the CM/ECF system and I hereby certify that the documents were mailed to the following non-CM/ECF participants:

Barbara A. Morgan
75 Wilson Street, NE
Concord, NC 28025-3444

Hollywood Entertainment Corp T/A Hollywood Video
9275 SW Peyton Lane
Wilsonville, OR 97070

Attn: Payroll

Respectfully submitted,

ANNA MILLS WAGONER
UNITED STATES ATTORNEY

/s/ Joan B. Binkley
Assistant United States Attorney
NCSB# 18100
United States Attorney's Office

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